

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

**CITIZENS FOR TRUMP,
NORTHEAST OHIO COALITION
FOR THE HOMELESS, and
ORGANIZE OHIO,**

Plaintiffs,

v.

CITY OF CLEVELAND, et al.,

Defendants.

) CASE NO.: 1:16-CV-1465

)

) JUDGE JAMES S. GWIN

)

) MAGISTRATE JUDGE McHARGH

)

)

) **DEFENDANTS' F MOTION TO DISMISS**

) **AND MEMORANDUM IN OPPOSITION**

) **TO PLAINTIFFS' MOTION FOR**

) **PRELIMINARY INJUNCTION AND**

) **TEMPORARY RESTRAINING ORDER**

)

Defendants, The City of Cleveland and Mayor Frank G. Jackson, in his official capacity, hereby move this honorable court under Federal Rule of Civil Procedure 12(b)(6) for an order dismissing the complaint, motion for preliminary injunction, and motion for temporary restraining order. A memorandum and exhibits in support of this motion and in opposition to plaintiffs' motion for preliminary injunction and temporary restraining order is attached and incorporated herein.

Respectfully submitted,

BARBARA A. LANGHENRY (0038838)
Director of Law, City of Cleveland

By: /s/ Stewart Hastings

GARY S. SINGLETARY (0037329)

Chief Counsel

THOMAS J. KAISER (0014339)

Chief Trial Counsel

L. STEWART HASTINGS JR. (0025852)

Assistant Director of Law

City of Cleveland, Department of Law

601 Lakeside Avenue, Room 106

Cleveland, Ohio 44114-1077

Tel: (216) 664-2800 Fax: (216) 664-2663

E-mail: LSHastings@city.cleveland.oh.us

Counsel for Defendants

CERTIFICATE OF SERVICE

I hereby certify that the foregoing was filed electronically. Notice of this filing will be sent to all parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

/s Stewart Hastings
Counsel for Defendants